



POSTED
05/24/05

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May 23, 2005

Mr. Charles Terreni
Chief Clerk of the Commission
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: Joint Petition for Arbitration of NewSouth Communications Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius [Affiliates] an Interconnection Agreement with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as Amended
Docket No. 2005-57-C

Dear Mr. Terreni:

Enclosed for filing are an original and twenty-five copies of BellSouth Telecommunications, Inc.'s Notice of Replacement of "Exhibit KKB-1" with "Exhibit KKB-1 (Revised 5/23/05)" in the above-referenced matter.

By copy of this letter, I am serving all parties of record with a copy of this notice as indicated on the attached Certificate of Service.

Sincerely,

Patrick W. Turner

PWT/nml
Enclosures
cc: All Parties of Record
DM5 # 586618

RECORDED
2005 MAY 23 PM 4:39
SC PUBLIC SERVICE
COMMISSION

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

In the Matter of)
)
Joint Petition for Arbitration of)
)
NewSouth Communications Corp.,)
NuVox Communications, Inc.)
KMC Telecom V, Inc., KMC Telecom III LLC, and)
Xspedius Communications, LLC on Behalf of its)
Operating Subsidiaries Xspedius Management Co.)
Switched Services, LLC, Xspedius Management Co.)
Of Charleston, LLC, Xspedius Management)
Co. of Columbia, LLC, Xspedius Management Co.)
Of Greenville, LLC, and Xspedius Management Co.)
Of Spartanburg, LLC)
)
Of an Interconnection Agreement with)
BellSouth Telecommunications, Inc.)
Pursuant to Section 252(b) of the)
Communications Act of 1934, as Amended)
)

Docket No. 2005-57-C

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SOUTH CAROLINA
PUBLIC SERVICE COMMISSION

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
NOTICE OF REPLACEMENT OF "EXHIBIT KKB-1"
WITH "EXHIBIT KKB-1 (REVISED 5/23/05)"**

On May 11, 2005, BellSouth Telecommunications, Inc. ("BellSouth") filed the Direct Testimony of Kathy Blake, consisting of 46 pages and 2 Exhibits, with the Public Service Commission of South Carolina ("the Commission"). BellSouth has since discovered an error in a portion of Exhibit KKB-1. Specifically, BellSouth included the wrong Xspedius tariff as pages 274 through 391 of Exhibit KKB-1.

BellSouth, therefore, respectfully withdraws Exhibit KKB-1 that was filed on May 11, 2005 and replaces it, in its entirety, with the attached "Exhibit KKB-1 (Revised 5/23/05)." This

revised exhibit is identical to the one filed May 11, 2005, except that the appropriate Xspedius tariff is included in the revised exhibit.

Respectfully submitted, this 23rd day of May, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

A handwritten signature in black ink, appearing to read "Patrick W. Turner", is written over a horizontal line.

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Atlanta, Georgia 30375
(404) 335-0769

586604

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

)
)
)

CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth Telecommunications, Inc.'s Notice of Replacement of "Exhibit KKB-1" with "Exhibit KKB-1 (Revised 5/23/05)" in Docket No. 2005-57-C to be served upon the following this May 23, 2005:

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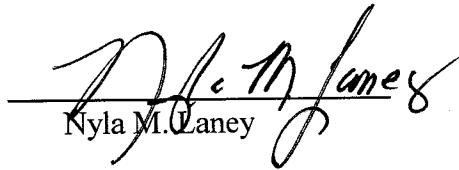
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Nyla M. Laney

PC Docs # 577384

ORIGINAL

KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Preface - Original Title Page

REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES
APPLYING TO END-USER
TELECOMMUNICATIONS SERVICES WITHIN
THE STATE OF SOUTH CAROLINA

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OF SOUTH CAROLINA

DEC 17 2002

Sam E. Walsh
EXECUTIVE DIRECTOR

Issued: November 17, 1999

Effective: December 17, 1999

Issued By: Mike Duke, Director of Government Affairs
KMC Telecom III, LLC
1755 North Brown Road
Lawrenceville, GA 30043

KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Preface -- 1st Revised Page 1
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OF SOUTH CAROLINA

DEC 17, 2002

George W. Williams
EXECUTIVE DIRECTOR

KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Preface – 2nd Revised Page 2
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KMC Telecom III, LLC

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T

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OF SOUTH CAROLINA**

JUN 30 2003

George W. Smith
EXECUTIVE DIRECTOR

KMC Telecom III, LLC

South Carolina P.S.C. No. 1
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DEC 17, 2002

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South Carolina P.S.C. No. 1
Preface – Original Page 5

EXPLANATION OF SYMBOLS, REFERENCE
MARKS, AND ABBREVIATIONS OF TECHNICAL
TERMS USED IN THIS TARIFF

The following symbols shall be used in this tariff for the purpose indicated below:

C	To signify changed regulation.
D	To signify discontinued rate or regulation.
I	To signify increased rate.
M	To signify a move in the location of text.
N	To signify new rate or regulation.
R	To signify reduced rate.
S	To signify reissued matter.
T	To signify a change in text but no change in rate or regulation.

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OF SOUTH CAROLINA

DEC 17 2002

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Issued: April 19, 2001

Effective: May 19, 2001

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South Carolina P.S.C. No. 1
Preface -- 1st Revised Page 6
Cancels Original Page 6

APPLICATION OF TARIFF

This tariff sets forth the service offerings, rates, terms and conditions applicable to the furnishing of intrastate end-user telecommunications services by KMC Telecom III, LLC, hereinafter referred to as the Company, to customers within the State of South Carolina.

T

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Effective: December 20, 2002

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KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Section 1 - Original Page 1

DEFINITIONS

Certain terms used generally throughout this tariff are defined below.

Account Codes: Permits Centrex Stations and attendants to dial an account code number of up to eight digits. For use when placing calls over facilities arranged for Automatic Message Accounting (AMA) recording. The account or project number must be input prior to dialing the called number.

Advance Payment: Part or all of a payment required before the start of service.

Automatic Number Identification (ANI): Allows the automatic transmission of a caller's billing account telephone number to a local exchange company, interexchange carrier or a third party subscriber. The primary purpose of ANI is to allow for billing of toll calls.

Bit: The smallest unit of information in the binary system of notation.

Call Back/Camp On: Permits a station line encountering an all-trunk-busy condition the option of being notified when a trunk becomes idle.

Call Forwarding:

Call Forwarding Station: Allows calls directed to a station line to be routed to a user defined line inside or outside the customer's telephone system.

Call Forwarding System: Permits calls attempting to terminate to a busy station line to be re-directed to a predetermined line inside or outside the customer's telephone system.

Call Forwarding Remote: This optional feature allows a user to activate/deactivate the Call Forwarding - All Calls feature or change the forwarded to telephone number from a remote location.

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OF SOUTH CAROLINA

DEC 17 2002

George W. White

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Issued: April 19, 2001

Effective: May 19, 2001

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KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Section 1 - Original Page 2

DEFINITIONS

Call Forwarding Busy: Allows incoming calls to a busy station to be routed to a preselected station line or attendant within the same system or outside the system. Intercom calls can be arranged to be forwarded to a number different from DID calls.

Call Forwarding Don't Answer: Allows incoming calls to be automatically routed to a preselected station line or attendant in the same system or outside the system, when the called station is not answered after a preset number of rings. Intercom calls can be arranged to be forwarded to a number different from DID calls.

Call Forwarding Variable Limited: When this feature is activated by a station line user or the attendant, incoming calls to the activated station line or attendant position will be automatically routed to any other selected station line, within the same Centrex system, or to the attendant position. The attendant may also activate this feature for a station line user.

Call Forwarding Variable Unlimited: The same as Call Forwarding Variable Limited except that incoming calls may be automatically routed to a telephone number outside the Centrex system or to station lines within the same Centrex system. The attendant may not activate this feature to a telephone number outside the Centrex system for a station line use. Calls forwarded outside the Centrex system are subject to the appropriate charges for local and toll messages.

Call Hold: Allows the user to hold one call for any length of time provided that neither party goes on-hook.

Call Park: Allows a station line to park a call against its own line number. The parked call can be retrieved from any station line by dialing a feature code and the line number against which the call is parked.

Call Pickup: Allows a station line to answer incoming calls to another station line within a defined call pickup group. Call pickup is provided on individual station lines within a customer group.

Call Transfer: Allows a station line user to transfer any established call to another station line inside or outside the customer group without the assistance of the attendant.

Call Waiting: Permits a line in the talking state to be alerted by a tone when another call is attempting to complete to the line. Audible ringing is returned to the originating line. The Service also provides a hold feature that is activated by a switchhook flash.

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Issued By: Mike Duke
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OF SOUTH CAROLINA

DEC 17 2002

George W. ...
EXECUTIVE DIRECTOR

KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Section 1 – Original Page 2.1

DEFINITIONS

Central Office: A local telephone company switching system where telephone exchange service customer loops are terminated for purposes of interconnection to each other and to trunks.

Collocation Point: Central Offices where KMC has installed equipment and connected to the Incumbent Local Exchange Carrier (ILEC) network so that KMC can connect to end-user Customers served out of the particular Central Office via leased unbundled network element loops (UNE loops).

Following is a list of Central Offices in which KMC is collocated. The list includes the name, address, and reference code (CLLI) for each Central office from which KMC provides services under this tariff. The provision of service to a Customer under this tariff, except for those services provided to OnNet Customers and Resold-Only Customers, depends upon the existence of a collocation point that serves the Customer area..

City	Address	CO Name	CLLI Code
CHARLESTON	81 St Phillips St.	Dial & Toll	CHTNSCDT
CHARLESTON	3801 Rivers St	North	CHTNSCNO
CHARLESTON	1233 Savannah	West Ashley	CHTNSCWA
COLUMBIA	1100 St. Andrews Rd	St. Andrews	CLMASCSA
COLUMBIA	1701 Senate St	Senate	CLMASCSN
COLUMBIA	1450 Lafayette Ave	Swift	CLMASCSW
SPARTANBURG	509 Spartanburg Rd	Lyman	LYMNSCES
SPARTANBURG	461 E Main St	Main	SPBGSCMA
SPARTANBURG	200 Blackstock Rd	Westview	SPBGSCWV

Communication Services: The Company's intrastate toll and local exchange switched telephone services offered for both intraLATA and interLATA use.

Company or KMC: KMC Telecom III, LLC, the issuer of this tariff.

Customer or Subscriber: The person, firm or corporation that orders service and is responsible for the payment of charges and compliance with the Company's regulations. Customers are classified according to 1) the categories listed below; and for all categories of customers except OnNet Customers and Resold-Only Customers, 2) the Collocation Points listed above for services provided under this tariff. Where KMC serves two or more Customers over the same DS1 UNE facility, each of those Customers are classified as if they subscribe to the total number of lines KMC serves using that DS1 UNE facility.

1 – 2 Line UNE Customers – customers who have purchased and/or will purchase a total of one to two lines of voice and/or data services serviced via DS0 (64KB analog loop) UNEs.

Issued: November 20, 2002

Effective: December 20, 2002

Issued By: Mike Duke
Director of Government Affairs
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PRESUMED VALID
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DEC 17, 2002

James E. Williams
EXECUTIVE DIRECTOR

DEFINITIONS

Customer or Subscriber

3 - 4 Line UNE Customers - Customers who subscribe to a total of three to four lines of voice and/or data services served via DS0 and/or DS1 UNEs.

5 - 9 Line UNE Customers - Customers who subscribe to a total of five to nine lines of voice and/or data services served via DS0 and/or DS1 UNEs.

10 - 16 Line UNE Customers - Customers who subscribe to a total of 10 to 16 lines of voice and/or data services served via DS0 and/or DS1 UNEs.

17 - 23 Line UNE Customers - Customers who subscribe to a total of 17 to 23 lines of voice and/or data services used via DS0 and/or DS1 UNEs.

24 - 50 Line UNE Customers - Customers who subscribe to a total of 24-50 lines of voice and/or data services served via DS0 and/or DS1 UNEs.

50+ Line UNE Customers - Customers who subscribe to a total of 50 or more lines of voice and/or data services served via DS0 and/or DS1 UNEs.

OnNet Customers - Customers who are, or will be, serviced by KMC through a direct connection to KMC's fiber network via a fiber loop or fiber lateral into the Customer's premise.

Resold-Only Customers - Customers who are, or will be, serviced by KMC exclusively through the resale of other carriers' retail services delivered through other carriers' facilities.

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THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DEC 17 2002

Lang E. Wall
EXECUTIVE DIRECTOR

Issued: November 20, 2002

Effective: December 20, 2002

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KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Section 1 – Original Page 3

DEFINITIONS

Dial Pulse (or "DP"): The pulse type employed by rotary dial station sets.

Direct Inward Dial (or "DID"): A service attribute that routes incoming calls directly to stations, by-passing a central answering point.

DID Trunk: A form of local switched access that provides the ability for an outside party to call an internal extension directly without the intervention of the company operator.

Direct Outward Dial (or "DOD"): A service attribute that allows individual station users to access and dial outside numbers directly.

Do Not Disturb: Permits the attendant to cut off a single station line and selected groups of station lines from receiving incoming and station-to-station calls.

DSX-1 Panel: Distribution equipment used to terminate and administer DS1 (1.544 Mbps) circuits.

Dual Tone Multi-Frequency (or "DTMF"): The pulse type employed by tone dial station sets.

Duplex Service: Service that provides for simultaneous transmission in both directions.

Fiber Optic Cable: A thin filament of glass with a protective outer coating through which a light beam carrying communications signals may be transmitted by means of multiple internal reflections to a receiver, which translates the message.

Hunting: Routes a call to an idle station line in a prearranged group when the called station line is busy.

In-Only: A service attribute that restricts outward dial access and routes incoming calls to a designated answer point.

Joint User: A person, firm or corporation that is designated by the Customer as a user of services furnished to the Customer by KMC and to whom a portion of the charges for the service will be billed under a joint user arrangement as specified herein.

PRESUMED VALID
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DEC 17 2002

Lang E. White
EXECUTIVE DIRECTOR

Issued: April 19, 2001

Effective: May 19, 2001

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KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Section 1 – 1st Revised Page 4
Cancels Original Page 4

DEFINITIONS

Kbps: Kilobits per second, denotes thousands of bits per second.

Last Number Redial: Enables a station line user to redial the last called number by use of an access code rather than dialing the entire number.

LATA: A Local Access and Transport Area established pursuant to the Modification of Final Judgment entered by the United States District Court for the District of Columbia in Civil Action No. 82-0192; or any other geographic area designated as a LATA in the National Exchange Carrier Association, Inc. Tariff F.C.C. No. 4.

Line: A voice or digital circuit with transmission capacity up to 64KB per second.

T

Local Exchange Carrier or ("LEC"): Denotes any individual, partnership, association, joint-stock company, trust or corporation engaged in providing switched communication within an exchange.

Mbps: Megabits, denotes millions of bits per second.

Multi-Frequency or ("MF"): An inter-machine pulse-type used for signaling between telephone switches, or between telephone switches and PBX/key systems.

Recurring Charges: The monthly charges to the Customer for services, facilities and equipment, that continue for the agreed upon duration of the service.

Service Commencement Date: The first day following the date on which the Company notifies the Customer that the requested service or facility is available for use, unless extended by the Customer's refusal to accept service that does not conform to standards set forth in the Service Order or this tariff, in which case the Service Commencement Date is the date of the Customer's acceptance. The Company and Customer may mutually agree on a substitute Service Commencement Date.

PRESUMED VOID
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DEC 17 2002

Lang E. White
EXECUTIVE DIRECTOR

Issued: November 20, 2002

Effective: December 20, 2002

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KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Section 1 - Original Page 5

DEFINITIONS

Service Order: The written request for Network Services executed by the Customer and the Company in the format devised by the Company. The signing of a Service Order by the Customer and acceptance by the Company initiates the respective obligations of the parties as set forth therein and pursuant to this tariff, but the duration of the service is calculated from the Service Commencement Date.

Shared: A facility or equipment system or subsystem that can be used simultaneously by several Customers.

Speed Calling: Permits a station line user to dial selected numbers by using fewer digits than normally required. This is accomplished through the assignment of abbreviated codes to frequently called numbers. The speed calling list is customer-changeable.

System: Allows shared use of speed calling list. A control station will add, change or delete telephone numbers from the list for the group.

Station: Allows a station line user to add, change or delete telephone numbers from a speed calling list. The list is dedicated to the individual station line user.

Three-Way Calling: Allows a station line user to add a third party to an existing conversation.

Two Way: A service attribute that includes outward dial capabilities for outbound calls and can also be used to carry inbound calls to a central point for further processing.

User or End User: A Customer, Joint User, or any other person authorized by a Customer to use service provided under this tariff.

PRESUMED VALID
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DEC 17 2002

George W. Lee
EXECUTIVE DIRECTOR

Issued: April 19, 2001

Effective: May 19, 2001

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South Carolina P.S.C. No. 1
Section 2 - Original Page 1

REGULATIONS

2.1 Undertaking of the Company

2.1.1 Scope

The Company undertakes to furnish communications service pursuant to the terms of this tariff in connection with one-way and/or two-way information transmission between points within the State of South Carolina.

Customers and users may use services and facilities provided under this tariff to obtain access to services offered by other service providers. The Company is responsible under this tariff only for the services and facilities provided hereunder, and it assumes no responsibility for any service provided by any other entity that purchases access to the Company network in order to originate or terminate its own services, or to communicate with its own customers.

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THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DEC 17 2002

James E. White
EXECUTIVE DIRECTOR

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Issued By:

Mike Duke
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1755 North Brown Road
Lawrenceville, GA 30043

KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Section 2 - Original Page 2

REGULATIONS

2.1 Undertaking of the Company (Cont'd)

2.1.2 Shortage of Equipment or Facilities

- (A) The Company reserves the right to limit or to allocate the use of existing facilities, or of additional facilities offered by the Company, when necessary because of lack of facilities, or due to some other cause beyond the Company's control.
- (B) The furnishing of service under this tariff is subject to the availability on a continuing basis of all the necessary facilities and is limited to the capacity of the Company's facilities as well as facilities the Company may obtain from other carriers to furnish service from time to time as required at the sole discretion of the Company.

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South Carolina P.S.C. No. 1
Section 2 - Original Page 3

REGULATIONS

2.1 Undertaking of the Company (Cont'd)

2.1.3 Terms and Conditions

- (A) Service is provided on the basis of a minimum period of at least one month, 24-hours per day. For the purpose of computing charges in this tariff, a month is considered to have 30 days.
- (B) Customers may be required to enter into written service orders which shall contain or reference a specific description of the service ordered, the rates to be charged, the duration of the services, and the terms and conditions in this tariff. Customers will also be required to execute any other documents as may be reasonably requested by the Company.
- (C) At the expiration of the initial term specified in each Service Order, or in any extension thereof, service shall continue on a month-to-month basis at the then current rates unless terminated by either party upon 30 days' notice. Any termination shall not relieve the Customer of its obligation to pay any charges incurred under the service order and this tariff prior to termination. The rights and obligations which by their nature extend beyond the termination of the term of the service order shall survive such termination.
- (D) In any action between the parties to enforce any provision of this tariff, the prevailing party shall be entitled to recover its legal fees and court costs from the non-prevailing party in addition to other relief a court may award.

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South Carolina P.S.C. No. 1
Section 2 - Original Page 4

REGULATIONS

2.1 Undertaking of the Company (Cont'd)

2.1.3 Terms and Conditions (Cont'd)

- (E) Service may be terminated upon written notice to the Customer if:
 - (1) the Customer is using the service in violation of this tariff; or
 - (2) the Customer is using the service in violation of the law.
- (F) This tariff shall be interpreted and governed by the laws of the State of South Carolina regardless of its choice of laws provision.
- (G) BellSouth and its affiliated local telephone companies must not interfere with the right of any person or entity to obtain service directly from the Company. No person or entity shall be required to make any payment, incur any penalty, monetary or otherwise, or purchase any services in order to have the right to obtain service directly from the Company.
- (H) To the extent that either the Company or any other telephone company exercises control over available cable pairs, conduit, duct space, raceways, or other facilities needed by the other to reach a person or entity, the party exercising such control shall make them available to the other on terms equivalent to those under which the Company makes similar facilities under its control available to its customers. At the reasonable request of either party, the Company and the other telephone company shall join the attempt to obtain from the owner of the property access for the other party to serve a person or entity.

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South Carolina P.S.C. No. 1
Section 2 - Original Page 5

REGULATIONS

2.1 Undertaking of the Company (Cont'd)

2.1.4 Liability of the Company

- (A) The liability of the Company for damages arising out of the furnishing of its Services, including but not limited to mistakes, omissions, interruptions, delays, or errors, or other defects, representations, or use of these services or arising out of the failure to furnish the service, whether caused by acts or omission, shall be limited to the extension of allowances for interruption as set forth in 2.6. The extension of such allowances for interruption shall be the sole remedy of the Customer and the sole liability of the Company. The Company will not be liable for any direct, indirect, incidental, special, consequential, exemplary or punitive damages to Customer as a result of any Company service, equipment or facilities, or the acts or omissions or negligence of the Company's employees or agents.
- (B) The Company shall not be liable for any delay or failure of performance or equipment due to causes beyond its control, including but not limited to: acts of God, fire, flood, explosion or other catastrophes; any law, order, regulation, direction, action, or request of the United States Government, or of any other government, including state and local governments having or claiming jurisdiction over the Company, or of any department, agency, commission, bureau, corporation, or other instrumentality of any one or more of these federal, state, or local governments, or of any civil or military authority; national emergencies; insurrections; riots; wars; unavailability of rights-of-way or materials; or strikes, lock-outs, work stoppages, or other labor difficulties.

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South Carolina P.S.C. No. 1
Section 2 - Original Page 6

REGULATIONS

2.1 Undertaking of the Company (Cont'd)

2.1.4 Liability of the Company (Cont'd)

- (C) The Company shall not be liable for any act or omission of any entity furnishing to the Company or to the Company's Customers facilities or equipment used for or with the services the Company offers.
- (D) The Company shall not be liable for any damages or losses due to the fault or negligence of the Customer or due to the failure or malfunction of Customer-provided equipment or facilities.
- (E) The Company does not guarantee nor make any warranty with respect to installations it provides for use in an explosive atmosphere. The Customer indemnifies and holds the Company harmless from any and all loss, claims, demands, suits, or other action, or any liability whatsoever, whether suffered, made, instituted, or asserted by any other party or person(s), and for any loss, damage, or destruction of any property, whether owned by the Customer or others, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal presence, condition, location, or use of any installation so provided. The Company reserves the right to require each Customer to sign an agreement acknowledging acceptance of the provisions of this section 2.1.4(E) as a condition precedent to such installations.

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South Carolina P.S.C. No. 1
Section 2 - Original Page 7

REGULATIONS

2.1 Undertaking of the Company (Cont'd)

2.1.4 Liability of the Company (Cont'd)

- (F) The Company is not liable for any defacement of or damage to Customer premises resulting from the furnishing of services or equipment on such premises or the installation or removal thereof, unless such defacement or damage is caused by negligence or willful misconduct of the Company's agents or employees.
- (G) The Company shall be indemnified, defended and held harmless by the Customer against any claim, loss or damage arising from Customer's use of services, involving claims for libel, slander, invasion of privacy, or infringement of copyright arising from the Customer's own communications.
- (H) The entire liability for any claim, loss, damage or expense from any cause whatsoever shall in no event exceed sums actually paid the Company by the Customer for the specific services giving rise to the claim. No action or proceeding against the Company shall be commenced after the expiration of the applicable statute of limitations.
- (I) **THE COMPANY MAKES NO WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE, EXCEPT THOSE EXPRESSLY SET FORTH HEREIN.**

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REGULATIONS

2.1 Undertaking of the Company (Cont'd)

2.1.5 Notification of Service-Affecting Activities

The Company will provide the Customer reasonable notification of service-affecting activities that may occur in normal operation of its business. Such activities may include, but are not limited to, equipment or facilities additions, removals or rearrangements and routine preventative maintenance. Generally, such activities are not specific to an individual Customer but affect many Customers' services. No specific advance notification period is applicable to all service activities. The Company will work cooperatively with the Customer to determine the reasonable notification requirements. With some emergency or unplanned service-affecting conditions, such as an outage resulting from cable damage, notification to the Customer may not be possible.

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South Carolina P.S.C. No. 1
Section 2 - Original Page 9

REGULATIONS

2.1 Undertaking of the Company (Cont'd)

2.1.6 Provision of Equipment and Facilities

- (A) The Company shall use reasonable efforts to make available services to a Customer on or before a particular date, subject to the provisions of and compliance by the Customer with, the regulations contained in this tariff. The Company does not guarantee availability by any such date and shall not be liable for any delays in commencing service to any Customer.
- (B) The Company shall use reasonable efforts to maintain only the facilities and equipment that it furnishes to the Customer. The Customer may not, nor may the Customer permit others to, rearrange, disconnect, remove, attempt to repair, or otherwise interfere with any of the facilities or equipment installed by the Company, except upon the written consent of the Company.
- (C) The Company may substitute, change or rearrange any equipment or facility at any time and from time to time, but shall not thereby alter the technical parameters of the service provided the Customer.
- (D) Equipment the Company provides or installs at the Customer Premises for use in connection with the services the Company offers shall not be used for any purpose other than that for which it was provided by the Company.

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REGULATIONS

2.1 Undertaking of the Company (Cont'd)

2.1.6 Provision of Equipment and Facilities (Cont'd)

- (E) The Customer shall be responsible for the payment of service charges as set forth herein for visits by the Company's agents or employees to the Premises of the Customer when the service difficulty or trouble report results from the use of equipment or facilities provided by any party other than the Company, including but not limited to the Customer.
- (F) The Company shall not be responsible for the installation, operation, or maintenance of any Customer-provided communications equipment. Where such equipment is connected to the facilities furnished pursuant to this tariff, the responsibility of the Company shall be limited to the furnishing of facilities offered under this tariff and to the maintenance and operation of such facilities. Subject to this responsibility, the Company shall not be responsible for:
 - (1) the transmission of signals by Customer-provided equipment or for the quality of, or defects in, such transmission; or
 - (2) the reception of signals by Customer-provided equipment.

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REGULATIONS

2.1 Undertaking of the Company (Cont'd)

2.1.7 Non-Routine Installation

At the Customer's request, installation and/or maintenance may be performed outside the Company's regular business hours or in hazardous locations. In such cases, charges based on cost of the actual labor, material, or other costs incurred by or charged to the Company will apply. If installation is started during regular business hours but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to, weekends, holidays, and/or night hours, additional charges may apply.

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South Carolina P.S.C. No. 1
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REGULATIONS

2.1 Undertaking of the Company (Cont'd)

2.1.8 Special Construction

Subject to the agreement of the Company and to all of the regulations contained in this tariff, special construction of facilities may be undertaken on a reasonable efforts basis at the request of the Customer. Special construction is that construction undertaken:

- (A) where facilities are not presently available, and there is no other requirement for the facilities so constructed;
- (B) of a type other than that which the Company would normally utilize in the furnishing of its services;
- (C) over a route other than that which the Company would normally utilize in the furnishing of its services;
- (D) in a quantity greater than that which the Company would normally construct;
- (E) on an expedited basis;
- (F) on a temporary basis until permanent facilities are available;
- (G) involving abnormal costs; or
- (H) in advance of its normal construction.

2.1.9 Ownership of Facilities

Title to all facilities provided in accordance with this tariff remains in the Company, its agents or contractors.

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James E. White
EXECUTIVE DIRECTOR

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KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Section 2 - Original Page 13

REGULATIONS

2.2 Prohibited Uses

- (A) The services the Company offers shall not be used for any unlawful purpose or for any use as to which the Customer has not obtained all required governmental approvals, authorizations, licenses, consents and permits.
- (B) The Company may require applicants for service who intend to use the Company's offerings for resale and/or for shared use to file a letter with the Company confirming that their use of the Company's offerings complies with relevant laws and South Carolina Public Service Commission regulations, policies, orders, and decisions.
- (C) The Company may require a Customer to immediately shut down its transmission of signals if said transmission is causing interference to others.
- (D) A customer, joint user, or authorized user may not assign, or transfer in any manner, the service or any rights associated with the service without the written consent of the Company. The Company will permit a Customer to transfer its existing service to another entity if the existing Customer has paid all charges owed to the Company for regulated communications services. Such a transfer will be treated as a disconnection of existing service and installation of new service, and non-recurring installation charges as stated in this tariff will apply.

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South Carolina P.S.C. No. 1
Section 2 - Original Page 14

REGULATIONS

2.3 Obligations of the Customer

2.3.1 General

The Customer shall be responsible for:

- (A) the payment of all applicable charges pursuant to this tariff;
- (B) damage to or loss of the Company's facilities or equipment caused by the acts or omissions of the Customer; or the noncompliance by the Customer, with these regulations; or by fire or theft or other casualty on the Customer Premises, unless caused by the negligence or willful misconduct of the employees or agents of the Company;
- (C) providing at no charge, as specified from time to time by the Company, any needed personnel, equipment space and power to operate Company facilities and equipment installed on the premises of the Customer, and the level of heating and air conditioning necessary to maintain the proper operating environment on such premises;

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South Carolina P.S.C. No. 1
Section 2 - Original Page 15

REGULATIONS

2.3 Obligations of the Customer (Cont'd)

2.3.1 General (Cont'd)

- (D) obtaining, maintaining, and otherwise having full responsibility for all rights-of-way and conduits necessary for installation of fiber optic cable and associated equipment used to provide Communication Services to the Customer from the cable building entrance or property line to the location of the equipment space described in 2.3.1(C). Any and all costs associated with obtaining and maintaining the rights-of-way described herein, including the costs of altering the structure to permit installation of the Company-provided facilities, shall be borne entirely by, or may be charged by the Company to, the Customer. The Company may require the Customer to demonstrate its compliance with this section prior to accepting an order for service;
- (E) providing a safe place to work and complying with all laws and regulations regarding the working conditions on the premises at which Company employees and agents shall be installing or maintaining the Company's facilities and equipment. The Customer may be required to install and maintain Company facilities and equipment within a hazardous area if, in the Company's opinion, injury or damage to the Company's employees or property might result from installation or maintenance by the Company. The Customer shall be responsible for identifying, monitoring, removing and disposing of any hazardous material (e.g. friable asbestos) prior to any construction or installation work;

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South Carolina P.S.C. No. 1
Section 2 - Original Page 16

REGULATIONS

2.3 Obligations of the Customer (Cont'd)

2.3.1 General (Cont'd)

- (F) complying with all laws and regulations applicable to, and obtaining all consents, approvals, licenses and permits as may be required with respect to, the location of Company facilities and equipment in any Customer premises or the rights-of-way for which Customer is responsible under Section 2.3.1(D); and granting or obtaining permission for Company agents or employees to enter the premises of the Customer at any time for the purpose of installing, inspecting, maintaining, repairing, or upon termination of service as stated herein, removing the facilities or equipment of the Company;
- (G) not creating, or allowing to be placed, any liens or other encumbrances on the Company's equipment or facilities; and
- (H) making Company facilities and equipment available periodically for maintenance purposes at a time agreeable to both the Company and the Customer. No allowance will be made for the period during which service is interrupted for such purposes.

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Section 2 – 1st Revised Page 17
Replaces Section 2 – Original Page 17

REGULATIONS

2.3 Obligations of the Customer (Cont'd)

2.3.2 Claims

With respect to any service or facility provided by the Company, Customers shall indemnify, defend and hold harmless the Company from and against all claims, actions, damages, liabilities, costs and expenses, including reasonable attorneys' fees for:

- (A) any loss, destruction or damage to the property of the Company or any third party, or death or injury to persons, including, but not limited to, employees or invitees of either party, to the extent caused by or resulting from the negligent or intentional act or omission of the Customer, its employees, agents, representatives or invitees; or
- (B) any claim, loss, damage, expense or liability for infringement of any copyright, patent, trade secret, or any proprietary or intellectual property right of any third party, arising from any act or omission by the Customer, including, without limitation, use of the Company's services and facilities in a manner not contemplated by the agreement between the Customer and the Company.

2.3.3 Third Party Vendor Charges

For the avoidance of doubt and notwithstanding any other provision in this Tariff or other customer service agreement or arrangement, including but not limited to Meet Point Billing arrangements, in addition to service charges imposed by KMC for the Service, the Customer shall be responsible for and reimburse KMC for any and all charges, fees, assessments of any kind or nature, including but not limited to interstate and intrastate switched access charges, imposed by any third party (collectively "Third Party Charges") upon KMC relating to usage incurred by the Customer in connection with the Services. The Customer hereby indemnifies KMC for all Third Party Charges and agrees to defend and hold KMC harmless for all damages, losses, claims or judgments arising out of any Third Party Charges.

(N)

(N)

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(T)

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THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

JUL 14 2004

[Signature]
DEPUTY EXECUTIVE DIRECTOR

KMC Telecom III, LLC

South Carolina P.S.C. No. 1
Section 2 - Original Page 18

REGULATIONS

2.4 Customer Equipment and Channels

2.4.1 General

A User may transmit or receive information or signals via the facilities of the Company. The Company's services are designed primarily for the transmission of voice-grade telephonic signals, except as otherwise stated in this tariff. A User may transmit any form of signal that is compatible with the Company's equipment, but the Company does not guarantee that its services will be suitable for purposes other than voice-grade telephonic communication except as specifically stated in this tariff.

2.4.2 Station Equipment

- (A) Terminal equipment on the User's Premises and the electric power consumed by such equipment shall be provided by and maintained at the expense of the User. The User is responsible for the provision of wiring or cable to connect its terminal equipment to the Company Point of Connection.
- (B) The Customer is responsible for ensuring that Customer-provided equipment connected to Company equipment and facilities is compatible with such equipment and facilities. The magnitude and character of the voltages and currents impressed on Company-provided equipment and wiring by the connection, operation, or maintenance of such equipment and wiring shall be such as not to cause damage to the Company-provided equipment and wiring or injury to the Company's employees or to other persons. Any additional protective equipment required to prevent such damage or injury shall be provided by the Company at the Customer's expense.

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REGULATIONS

2.4 Customer Equipment and Channels (Cont'd)

2.4.3 Interconnection of Facilities

- (A) Any special interface equipment necessary to achieve compatibility between the facilities and equipment of the Company used for furnishing Communication Services and the channels, facilities, or equipment of others shall be provided at the Customer's expense.
- (B) Communication Services may be connected to the services or facilities of other communications carriers only when authorized by, and in accordance with, the terms and conditions of the tariffs of the other communications carriers that are applicable to such connections.
- (C) Facilities furnished under this tariff may be connected to Customer-provided terminal equipment in accordance with the provisions of this tariff. All such terminal equipment shall be registered by the Federal Communications Commission pursuant to Part 68 of Title 47, Code of Federal Regulations; and all User-provided wiring shall be installed and maintained in compliance with those regulations.
- (D) Users may interconnect communications facilities that are used in whole or in part for interstate communications to services provided under this tariff only to the extent that the user is an "End User" as defined in Section 69.2(m), Title 47, Code of Federal Regulations (1992 edition).

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David E. Ward
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Section 2 - Original Page 20

REGULATIONS

2.4 Customer Equipment and Channels (Cont'd)

2.4.4 Inspections

- (A) Upon suitable notification to the Customer, and at a reasonable time, the Company may make such tests and inspections as may be necessary to determine that the Customer is complying with the requirements set forth in Section 2.4.2(B) for the installation, operation, and maintenance of Customer-provided facilities, equipment, and wiring in the connection of Customer-provided facilities and equipment to Company-owned facilities and equipment.
- (B) If the protective requirements for Customer-provided equipment are not being complied with, the Company may take such action as it deems necessary to protect its facilities, equipment, and personnel. The Company will notify the Customer promptly if there is any need for further corrective action. Within ten days of receiving this notice, the Customer must take this corrective action and notify the Company of the action taken. If the Customer fails to do this, the Company may take whatever additional action is deemed necessary, including the suspension of service, to protect its facilities, equipment and personnel from harm.

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South Carolina P.S.C. No. 1
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REGULATIONS

2.5 Payment Arrangements

2.5.1 Payment for Service

The Customer is responsible for the payment of all charges for facilities and services furnished by the Company to the Customer and to all Users authorized by the Customer, regardless of whether those services are used by the Customer itself or are resold to or shared with other persons.

(A) Taxes

The Customer is responsible for payment of any sales, use, gross receipts, excise, access or other local, state and federal taxes, charges or surcharges (however designated) (excluding taxes on Company's net income) imposed on or based upon the provision, sale or use of Network Services.

2.5.2 Billing and Collection of Charges

- (A) Non-recurring charges are due and payable from the customer within 30 days after the invoice date, unless otherwise agreed to in advance.
- (B) The Company shall present invoices for Recurring Charges monthly to the Customer, in advance of the month in which service is provided, and Recurring Charges shall be due and payable within 30 days after the invoice date. When billing is based on customer usage, charges will be billed monthly for the preceding billing periods.
- (C) When service does not begin on the first day of the month, or end on the last day of the month, the charge for the fraction of the month in which service was furnished will be calculated on a pro rata basis. For this purpose, every month is considered to have 30 days.

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REGULATIONS

2.5 Payment Arrangements (Cont'd)

2.5.2 Billing and Collection of Charges (Cont'd)

- (D) Billing of the Customer by the Company will begin on the Service Commencement Date, which is the first day following the date on which the Company notifies the Customer that the service or facility is available for use, except that the Service Commencement Date may be postponed by mutual agreement of the parties, or if the service or facility does not conform to standards set forth in this tariff or the Service Order. Billing accrues through and includes the day that the service, circuit, arrangement or component is discontinued.
- (E) If any portion of the payment is received by the Company after the date due, or if any portion of the payment is received by the Company in funds that are not immediately available, then a late payment penalty shall be due to the Company. The late payment penalty shall be the portion of the payment not received by the date due, multiplied by the lesser of the highest percentage allowable by the South Carolina Public Service Commission or a late factor of 1.5% per month.
- (F) The Customer will be assessed a charge consistent with applicable state law for each check submitted by the Customer to the Company that a financial institution refused to honor.
- (G) Customers have up to 90 days (commencing 5 days after remittance of the bill) to initiate a dispute over charges or to receive credits.
- (H) If service is disconnected by the Company in accordance with section 2.5.5 following and later restored, restoration of service will be subject to all applicable installation charges

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REGULATIONS

2.5 Payment Arrangements (Cont'd)

2.5.3 Advance Payments

To safeguard its interests, the Company may require a Customer to make an advance payment before services and facilities are furnished. The advance payment will not exceed an amount equal to the non-recurring charge(s) and one month's charges for the service or facility. In addition, where special construction is involved, the advance payment may also include an amount equal to the estimated non-recurring charges for the special construction and recurring charges (if any) for a period to be set between the Company and the Customer. The advance payment will be credited to the Customer's initial bill. An advance payment may be required in addition to a deposit.

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REGULATIONS

2.5 Payment Arrangements (Cont'd)

2.5.4 Deposits

- (A) To safeguard its interests, the Company may require a Customer to make a deposit to be held as a guarantee for the payment of charges. A deposit does not relieve the Customer of the responsibility for the prompt payment of bills on presentation. The deposit will not exceed an amount equal to:
- (1) two month's charges for a service or facility that has a minimum payment period of one month; or
 - (2) the charges that would apply for the minimum payment period for a service or facility that has a minimum payment period of more than one month; except that the deposit may include an additional amount in the event that a termination charge is applicable.
- (B) A deposit may be required in addition to an advance payment.
- (C) When a service or facility is discontinued, the amount of a deposit, if any, will be applied to the Customer's account and any credit balance remaining will be refunded. Before the service or facility is discontinued, the Company may, at its option, return the deposit or credit it to the Customer's account.
- (D) Deposits held will accrue interest at the current rate allowed by the Commission without deductions for any taxes on such deposits. Interest will not accrue on any deposit after the date on which reasonable effort has been made to return it to the Customer.
- (E) Deposits will be handled pursuant to the Commission's rules and regulations.

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REGULATIONS

2.5 Payment Arrangements (Cont'd)

2.5.5 Discontinuance of Service

- (A) Upon nonpayment of any amounts owing to the Company, the Company may, by giving 24 hours prior written notice to the Customer, discontinue or suspend service without incurring any liability.
- (B) Upon violation of any of the other material terms or conditions for furnishing service the Company may, by giving 30 days' prior notice in writing to the Customer, discontinue or suspend service without incurring any liability if such violation continues during that period.
- (C) Upon condemnation of any material portion of the facilities used by the Company to provide service to a Customer or if a casualty renders all or any material portion of such facilities inoperable beyond feasible repair, the Company, by notice to the Customer, may discontinue or suspend service without incurring any liability.

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REGULATIONS

2.5 Payment Arrangements (Cont'd)

2.5.5 Discontinuance of Service (Cont'd)

- (D) Upon the Customer's insolvency, assignment for the benefit of creditors, filing for bankruptcy or reorganization, or failing to discharge an involuntary petition within the time permitted by law, the Company may immediately discontinue or suspend service without incurring any liability.
- (E) Upon any governmental prohibition or required alteration of the services to be provided or any violation of an applicable law or regulation, the Company may immediately discontinue service without incurring any liability.
- (F) In the event of fraudulent use of the Company's network, the Company will discontinue service without notice and/or seek legal recourse to recover all costs involved in enforcement of this provision.
- (G) Upon the Company's discontinuance of service to the Customer under Section 2.5.5(A) or 2.5.5(B), the Company, in addition to all other remedies that may be available to the Company at law or in equity or under any other provision of this tariff, may declare all future monthly and other charges that would have been payable by the Customer during the remainder of the term for which such services would have otherwise been provided to the Customer to be immediately due and payable (discounted to present value at six percent).

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REGULATIONS

2.5 Payment Arrangements (Cont'd)

2.5.6 Cancellation of Application for Service

- (A) Applications for service cannot be canceled without the Company's agreement. Where the Company permits a Customer to cancel an application for service prior to the start of service or prior to any special construction, no charges will be imposed except for those specified below.
- (B) Where, prior to cancellation by the Customer, the Company incurs any expenses in installing the service or in preparing to install the service that it otherwise would not have incurred, a charge equal to the costs incurred by the Company, less net salvage, shall apply, but in no case shall this charge exceed the sum of the charge for the minimum period of services ordered, including installation charges, and all charges others levy against the Company that would have been chargeable to the Customer had service commenced (all discounted to present value at six percent).
- (C) Where the Company incurs any expense in connection with special construction, or where special arrangements of facilities or equipment have begun, before the Company receives a cancellation notice, a charge equal to the costs incurred by the Company, less net salvage, applies. In such cases, the charge will be based on such elements as the cost of the equipment, facilities, and material, the cost of installation, engineering, labor, and supervision, general and administrative expense, other disbursements, depreciation, maintenance, taxes, provision for return on investment, and any other costs associated with the special construction or arrangements.
- (D) The special charges described in 2.5.6(A) through 2.5.6(C) will be calculated and applied on a case-by-case basis.

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REGULATIONS

2.5 Payment Arrangements (Cont'd)

2.5.7 Changes in Service Requested

If the Customer makes or requests material changes in circuit engineering, equipment specifications, service parameters, premises locations, or otherwise materially modifies any provision of the application for service, the Customer's installation fee shall be adjusted accordingly.

2.6 Allowances for Interruptions in Service

Interruptions in service that are not due to the negligence of, or noncompliance with the provisions of this tariff by, the Customer or the operation or malfunction of the facilities, power or equipment provided by the Customer, will be credited to the Customer as set forth in 2.6.1 for the part of the service that the interruption affects.

2.6.1 Credit for Interruptions

- (A) A credit allowance will be made when an interruption occurs because of a failure of any component furnished by the Company under this tariff. An interruption period begins when the Customer reports a service, facility or circuit to be interrupted and releases it for testing and repair. An interruption period ends when the service, facility or circuit is operative. If the Customer reports a service, facility or circuit to be inoperative but declines to release it for testing and repair, it is considered to be impaired, but not interrupted.
- (B) For calculating credit allowances, every month is considered to have 30 days. A credit allowance for fixed recurring fees only is applied on a pro rata basis against the rates specified hereunder and is dependent upon the length of the interruption. Only those facilities on the interrupted portion of the circuit will receive a credit.

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REGULATIONS

2.6 Allowances for Interruptions in Service (Cont'd)

2.6.1 Credit for Interruptions (Cont'd)

- (C) A credit allowance will be given for interruptions of 30 minutes or more. Credit allowances shall be calculated as follows:

Interruptions of 24 Hours or Less

<u>Length of Interruption</u>	<u>Interruption Period To Be Credited</u>
Less than 30 minutes	None
30 minutes up to but not including 3 hours	1/10 Day
3 hours up to but not including 6 hours	1/5 Day
6 hours up to but not including 9 hours	2/5 Day
9 hours up to but not including 12 hours	3/5 Day
12 hours up to but not including 15 hours	4/5 Day
15 hours up to but not including 24 hours	One Day

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Two or more interruptions of 15 minutes or more during any one 24-hour period shall be considered as one interruption.

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REGULATIONS

2.6 Allowances for Interruptions in Service (Cont'd)

2.6.1 Credit for Interruptions (Cont'd)

(C) (Cont'd)

Over 24 Hours and Less Than 72 Hours. Interruptions over 24 hours and less than 72 hours will be credited 1/5 day for each 3-hour period or fraction thereof. No more than one full day's credit will be allowed for any period of 24 hours.

Interruptions Over 72 Hours. Interruptions over 72 hours will be credited 2 days for each full 24-hour period. No more than 30 days' credit will be allowed for any one month period.

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REGULATIONS

2.6 Allowances for Interruptions in Service (Cont'd)

2.6.2 Limitations on Allowances

No credit allowance will be made for:

- (A) interruptions due to the negligence of, or noncompliance with the provisions of this tariff by, the Customer, authorized user, joint user, or other common carrier providing service connected to the service of the Company;
- (B) interruptions due to the negligence of any person other than the Company, including but not limited to the Customer or other common carriers connected to the Company's facilities;
- (C) interruptions due to the failure or malfunction of non-Company equipment;
- (D) interruptions of service during any period in which the Company is not given full and free access to its facilities and equipment for the purpose of investigating and correcting interruptions;
- (E) interruptions of service during a period in which the Customer continues to use the service on an impaired basis;
- (F) interruptions of service during any period when the Customer has released service to the Company for maintenance purposes or for implementation of a Customer order for a change in service arrangements; and
- (G) interruption of service due to circumstances or causes beyond the control of Company.

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REGULATIONS

2.6 Allowances for Interruptions in Service (Cont'd)

2.6.3 Cancellation For Service Interruption

Cancellation or termination for service interruption is permitted only if any circuit experiences a single continuous outage of 8 hours or more or cumulative service credits equaling 16 hours in a continuous 12-month period. The right to cancel service under this provision applies only to the single circuit that has been subject to the outage or cumulative service credits.

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REGULATIONS

2.7 Use of Customer's Service by Others

2.7.1 Resale and Sharing

Any service provided under this tariff may be resold to or shared with other persons at the option of the Customer, subject to compliance with any applicable laws or South Carolina Public Service Commission regulations governing such resale or sharing. The Customer remains solely responsible for all use of services ordered by it or billed to its telephone number(s) pursuant to this tariff, for determining who is authorized to use its services, and for notifying the Company of any unauthorized use.

2.7.2 Joint Use Arrangements

Joint use arrangements will be permitted for all services provided under this tariff. From each joint use arrangement, one member will be designated as the Customer responsible for the manner in which the joint use of the service will be allocated. The Company will accept orders to start, rearrange, relocate, or discontinue service only from the designated Customer. Without affecting the Customer's ultimate responsibility for payment of all charges for the service, each joint user shall be responsible for the payment of the charges billed to it.

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2.8 Cancellation of Service

If a Customer cancels a Service Order or terminates services before the completion of the term for any reason whatsoever other than a service interruption (as defined in Section 2.6.1 above), the Customer agrees to pay to the Company termination liability charges, as defined below. These charges shall become due and owing as of the effective date of the cancellation or termination and be payable within the period, set forth in Section 2.5.2.

The Customer's termination liability for cancellation of service shall be equal to:

- (A) all unpaid and waived Non-Recurring charges reasonably expended by the Company as well as all costs incurred by Company to establish service to the Customer; plus
- (B) any disconnection, early cancellation or termination charges reasonably incurred and paid to third parties by the Company on behalf of the Customer; plus
- (C) all Recurring Charges specified in the applicable Service Order Tariff for the balance of the then current term discounted at the prime rate announced in the Wall Street Journal on the third business day following the date of cancellation; plus
- (D) the difference between a Customers term rates and the Company's month-to-month rates times the actual length of service.

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REGULATIONS

2.9 Transfers and Assignments

Neither the Company nor the Customer may assign or transfer its rights or duties in connection with the services and facilities provided by the Company without the written consent of the other party, except that the Company may assign its rights and duties:

- (A) to any subsidiary, parent company or affiliate of the Company; or
- (B) pursuant to any sale or transfer of substantially all the assets of the Company; or
- (C) pursuant to any financing, merger or reorganization of the Company.

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REGULATIONS

2.10 Notices and Communications

- (A) The Customer shall designate on the Service Order an address to which the Company shall mail or deliver all notices and other communications, except that the Customer may also designate a separate address to which the Company's bills for service shall be mailed.
- (B) The Company shall designate on the Service Order an address to which the Customer shall mail or deliver all notices and other communications, except that Company may designate a separate address on each bill for service to which the Customer shall mail payment on that bill.
- (C) All notices or other communications required to be given pursuant to this tariff will be in writing. Notices and other communications of either party, and all bills mailed by the Company, shall be presumed to have been delivered to the other party on the third business day following placement of the notice, communication or bill with the U.S. Mail or a private delivery service, prepaid and properly addressed, or when actually received or refused by the addressee, whichever occurs first.
- (D) The Company or the Customer shall advise the other party of any changes to the addresses designated for notices, other communications or billing, by following the procedures for giving notice set forth herein.

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REGULATIONS

2.11 Operator Services Rules

(A) The Company will enforce the following operator service rules.

A provider of intrastate operator assisted communications services must:

- (1) identify itself at the time the end-user accesses its services;
- (2) upon request, quote all rates and charges for its services to the end-user accessing its system;
- (3) arrange to have posted in plain view at each telephone location which automatically accesses the operator service provider's network and where its services are made available to the public or transient end-users:
 - (a) the operator service provider's name and address;
 - (b) bill and service dispute calling information including the operator service provider's dispute resolution phone number;
 - (c) clear and specific instructions informing the end-user how to access a local exchange telephone company operator as an alternative available to the end-user; and
 - (d) notice concerning any and all amounts to be billed by the operator services provider on behalf of any host location or third party that will appear on the operator service provider's bill for services rendered.

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REGULATIONS

2.11 Operator Services Rules (Cont'd)

(A) (Cont'd)

- (4) in instances when the provider is unable to complete the call and it requires transfer to another telephone corporation that may affect the rates and charges applicable to the telephone bill, inform the caller of the transfer and its possible effect on the applicable rates and charges, before any charges are incurred; and
- (5) in the case of such transfer, the telephone corporation or provider to which the call is transferred shall identify itself and inform the caller of the transfer's effect on the applicable rates and charges, before any charges are incurred.

(B) The Company will comply with the following provisions:

- (1) Providers of intrastate operator assisted communications services shall not take any action or enter into any arrangement that restricts end-user selection among competing interexchange telephone corporations or end-users access to competing providers of intrastate operator assisted communications services, or pay any commissions or other compensation to any entity engaged in such action or arrangement.

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APPLICATION OF RATES

3.1 Introduction

The regulations set forth in this section govern the application of rates for services contained in other sections of this tariff.

3.2 Charges Based on Duration of Use

Where charges for a service are specified based on the duration of use, such as the duration of a telephone call, the following rules apply:

- (A) Calls are measured in durational increments identified for each service. All calls that are fractions of a measurement increment are rounded-up to the next whole unit.
- (B) Timing on completed calls begins when the call is answered by the called party. Answering is determined by hardware answer supervision in all cases where this signaling is provided by the terminating local carrier and any intermediate carrier(s). Timing for operator service person-to-person calls start with completion of the connection to the person called or an acceptable substitute, or to the PBX station called.
- (C) Timing terminates on all calls when the calling party hangs up or the Company's network receives an off-hook signal from the terminating carrier.
- (D) Calls originating in one time period and terminating in another will be billed in proportion to the rates in effect during different segments of the call.
- (E) All times refer to local time.

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APPLICATION OF RATES

3.3 Rates Based Upon Distance

Where charges for a service are specified based upon distance, the following rules:

- (A) Distance between two points is measured as airline distance between the rate centers of the originating and terminating telephone lines. The rate center is a set of geographic coordinates, as referenced in the Local Exchange Routing Guide issued by Bellcore, associated with each NPA-NXX combination (where NPA is the area code and NXX is the first three digits of a seven-digit telephone number). Where there is no telephone number associated with an access line on the Company's network (such as a dedicated 800 or WATS access line), the Company will apply the rate center of the Customer's main billing telephone number.

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APPLICATION OF RATES

3.3 Rates Based Upon Distance (Cont'd)

(B) The airline distance between any two rate centers is determined as follows:

- (1) Obtain the "V" (vertical) and "H" (horizontal) coordinates for each rate center from the Bellcore Local Exchange Routing guide referenced in Section 3.3(A).
- (2) Compute the difference between the "V" coordinates of the two rate centers; and the difference between the two "H" coordinates.
- (3) Square each difference obtained in step (2) above.
- (4) Add the square of the "V" difference and the square of the "H" difference obtained in step (3) above.
- (5) Divide the sum of the squares by 10. Round to the next higher whole number if any fraction is obtained.
- (6) Obtain the square root of the whole number result obtained above. Round to the next higher whole number if any fraction is obtained. This is the airline mileage.
- (7) FORMULA =

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SERVICE AREAS

4.1 Basic Calling Areas

Basic Calling Areas are provided (pursuant to Section 5.1) in limited geographic areas. Exchange Access Services bearing the following NPA-NXX designations are provided in the following areas:

<u>NPA-NXX</u>	<u>Geographic Areas In Which Full Service Is Available¹</u>
----------------	--

Exchange Access NPA-NXXs And Boundaries Are To Be Determined.

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¹ Full service versions of the Company's Exchange Access Services will be provided to Customers at Customer premises located in these areas pursuant to this tariff to the extent that: (a) the Company has in place and available network facilities extending to such premises; or (b) the Customer's premises is served by the Company's wire center at which the Company maintains a collocation arrangement and is able to reasonably employ such arrangement to interconnect to unbundled exchange link facilities that the Company, in its sole discretion, judges to be of a type, grade, technical specification, quality and quantity sufficient to, and offered under conditions consistent with, the delivery of such services.

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SERVICE AREAS4.2 Basic Calling Areas

Geographically-defined Local Calling Areas¹ are associated with each Exchange Access Service provided pursuant to Section 5.1. in the following areas.

<u>Exchange</u>	<u>Geographic Areas In Which Basic Local Calling Service is Available</u>
Charleston	Charleston, Folly Beach, Goose Creek, Hollywood Isle of palms, James Island, Johns Island, Kiawah Island Mt. Pleasant, N. Charleston, Sullivans Island, Sumerville
Columbia	Columbia, Chapin-Little Mountain South, Eastover, Lexington
Spartanburg	Chesnee, Cowpen, Enoree, Inman, Lyman, Pacolet, Spartanburg, Woodruff

Wide Area Calling

Enables a customer to have Flat Rate Calling to the Basic and Extended calling area for the following services: Flat Rate ClearXpress, Flat Rate ClearStar, Flat Rate ClearXpress, BRI, PRI, ClearValue and Clear-T.

Wide Area Calling Monthly Recurring Charge

\$10 per line or per channel

¹ Rates and rate plans for Local and IntraLATA Calling Area calls placed over Company-provided Exchange Access Services are set forth in Section 8.

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SERVICE AREAS

4.3 Extended Calling Area

Extended Local Calling Areas are associated with each Exchange Access Service provided pursuant to Section 5. Exchange Access Services in the following exchanges shall have the following Extended Local Calling Areas:

<u>Exchange</u>	<u>Extended Local Calling Area</u>
Charleston	Awendaw, Beaufort, Boneau, Cottageville, Cross, Edisto Island, Hendersonville, Huger, Jamestown, Laurel Bay, Lebanon, Lodge, Low Country, Macedonia, Moncks Corner, McClellanville, Pineville, Ridgeland, St Helena Island, St. Stephen, Walterboro, Walterboro Rural, Williams, Yemassee
Columbia	Allendale, Bamberg, Barnwell, Batesburg, Bishopville, Bishopville Rural, Blackville, Bowman, Branchville, Cameron, Camden, Chapin-Little Mountain No, Chester, Creston, Denmark, East Sumter, Ehrhardt, Elloree, Estill, Eutawville, Fairfax, Gilbert, Great Falls, Hampton, Harleyville, Holly Hill, Lewisville, Lynchburg, Manning, Mayesville, North, No.Manning, No. Summerton, No.Sumter, Norway, Pocalla, Oakland, Olar, Pelion, Pinewood, St. George, Pond Branch, Prosperity, Ridge Spring, Ridgeway, Newberry, St. Matthews, Santee, Shawview Hts, Springfield-Salley, Orangeburg, Stateburg, Summerton, Sumter, Swansea, Whitmire, Williston, Winnsboro, Wagener

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SERVICE AREAS

4.3 Extended Calling Area (Cont'd)

Exchange

Extended Local Calling Area

Spartanburg

Abbeville, Anderson, Belton, Blacksburg, Blue Ridge, Calhoun, Campobello, Central, Chappells, Clarks Hill, Clemson, Clinton, Columbus, NC, Cross Hill, Due West, Easley, Fountain Inn, Gaffney, Gray Court, Green Creek, NC, Greenville, Greenwood, Greer, Hickory Tavern, Hodges, Honea Path, Joanna, Jonesville, Landrum, Laurens, Laurens Rural, Liberty, Lockhart, McCormick, Mt. Carmel, Mountville, Ninety Six, Pelzer, Pendelton, Pickens, Piedmont, Plum Ranch, Salem, Saluda, Seneca, Simpsonville, Six Mile, Starr-Iva, Travelers Rest, Troy, Tryon, NC, Union, Walhalla, Ware Shoals, Waterloo, West Abbeville, West End, Westminster, Williamston

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EXCHANGE ACCESS SERVICE

5.1 General

Exchange Access Service provides a Customer with a telephonic connection to, and a unique telephone number address on the public switched telecommunications network. Each Exchange Access Service enables users to:

- (A) receive calls from other stations on the public switched telecommunications network;
- (B) access other services offered by the Company as set forth in this tariff;
- (C) access certain interstate and international calling services provided by the Company;
- (D) access (at no additional charge) the Company's operators and business office for service related assistance;
- (E) access (at no additional charge) emergency services by dialing 0- or 9-1-1; and
- (F) access services provided by other common carriers that purchase the Company's Switched Access services as provided under the Company's Federal and State tariffs, or that maintain other types of traffic exchange arrangements with the Company.

Each Exchange Access Service is available on a "Full" service basis, whereby service is delivered to a demarcation/connection block at the customer's premises.

The following Exchange Access Services are offered:

Basic Line Service
Key Line Service
Basic Trunk Service
DID Trunk Service
Digital Trunk Service
Centrex Service
Primary Rate Interface (PRI)
Basic Rate ISDN Service (BRI)

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EXCHANGE ACCESS SERVICE5.2 Basic Line Service*

Basic Line Service provides a Customer with a single, voice-grade telephonic communications channel that can be used to place or receive one call at a time. Basic Lines are provided for connection of Customer-provided single station sets or facsimile machines to the public switched telecommunications network. Each Basic Line may be configured into a hunt group with other Company-provided Basic Lines. Each Basic Line is provided with the following standard feature which can be deleted at the Customer's option:

Touch Tone

Material previously available on this page is available at Section 10.9.

Monthly recurring rates per Basic Line apply as follows:

	<u>M</u>	<u>Monthly Recurring</u>	
		<u>1-4 Lines</u>	<u>5+Lines/OnNet</u>
Basic Local/Expanded Local Exchange Service			
Columbia-Each Line		\$41.90 I	\$35.20
Each Addt'l Line		\$41.90 I	\$35.20
Charleston-Each Line		\$41.90 I	\$35.20
Each Addt'l Line		\$41.90 I	\$35.20
Spartanburg-Each Line		\$41.90 I	\$35.20
Each Addt'l Line		\$41.90 I	\$35.20
Measured Rate Service			
Columbia-Each Line		\$32.34 I	\$27.60
Each Addt'l Line		\$32.34 I	\$27.60
Charleston-Each Line		\$32.34 I	\$27.60
Each Addt'l Line		\$32.34 I	\$27.60
Spartanburg-Each Line		\$32.34 I	\$27.60
Each Addt'l Line	M**	\$32.34 I	\$27.60

* The Monthly Recurring and Usage rates for Basic Line Service apply to all Customers or Subscribers as defined in Section 1, Definitions.

** Non recurring rates are available at Section 10.5.

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EXCHANGE ACCESS SERVICE

5.3 Key Line Service

Key Line Service provides a Customer with a single, voice-grade telephonic communications channel that can be used to place or receive one call at a time. Key Lines are provided for connection of Customer-provided key systems to the public switched telecommunications network. Each Key Line is provided with the following standard features which can be deleted at the Customer's option:

Touch Tone
Call Waiting
Call Forwarding
Three-Way Conference Calling
Extension Dialing
Call Hunting

Non-recurring and monthly recurring rates per Key Line apply as follows:

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>	
Basic Local/Expanded Local Exchange Service	M	<u>1+9 Lines</u>	<u>10+Lines</u>
Columbia-Each Line		\$37.00 R	\$35.20
Each Addt'l Line		\$37.00 R	\$35.20
Charleston-Each Line		\$37.00 R	\$35.20
Each Addt'l Line		\$37.00 R	\$35.20
Spartanburg-Each Line		\$37.00 R	\$35.20
Each Addt'l Line		\$37.00 R	\$35.20
Measured Rate Service			
Columbia-Each Line		\$29.00 R	\$27.60
Each Addt'l Line		\$29.00 R	\$27.60
Charleston-Each Line		\$29.00 R	\$27.60
Each Addt'l Line		\$29.00 R	\$27.60
Spartanburg-Each Line		\$29.00 R	\$27.60
Each Addt'l Line	M*	\$29.00 R	\$27.60

* Non Recurring rates are available at Section 10.5

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EXCHANGE ACCESS SERVICE

5.5 Digital Trunk Service

Digital Trunk Service provides a Customer with a digital connection operating at 1.544 Mbps that is time division multiplexed into 24 individual voice-grade telephonic communications channels, each of which can be used to place or receive one call at a time. Digital Trunks are provided for connection of compatible Customer-provided private branch exchanges (PBX) to the public switched telecommunications network. Each Digital Trunk is provided with dual tone multi-frequency (DTMF) or multi-frequency (MF) signaling, as specified by the Customer. Digital Trunks may be configured into hunt groups with other Company-provided Digital Trunks. The terminal interface for each Digital Trunk Service is a DSX-1 panel.

Non-recurring and monthly recurring rates per Digital Trunk per point, apply as follows:

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Columbia-Per Trunk	\$X.XX	\$X.XX
Charleston-Per Trunk		
Spartenburg-Per Trunk		

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EXCHANGE ACCESS SERVICE

5.6 ClearStar™ Advantage Service

ClearStar Advantage is a centrex-based service that provides the customer with multiple individual voice-grade telephone communications channels, each of which can be used to place or receive one call at a time. ClearStar Advantage lines are provided for the connection of compatible, customer provided terminal equipment to the public switched telecommunications network. Centrex features associated with ClearStar Advantage service are described in Section 1 of this tariff. ClearStar Advantage is provided with a minimum of two network lines. Each line can be provided in combination with other Company-provided services. ClearStar Advantage services are offered in either an analog-based or digital, Basic Rate ISDN-based (Integrated Services Digital Network) serving arrangement.

5.6.1 Analog Serving Arrangements

ClearStar Advantage service can be provided to customers over analog-grade network facilities. Network features provided with these serving arrangements include:

Abbreviated Dialing
Automatic Callback Calling
Call Forwarding
Call Hold
Call Pick-Up
Call Transfer/Conference
Call Waiting
Dial 9 Access
Hunting
Speed Calling
Touch-tone

* Some features may not be available in all locations.

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EXCHANGE ACCESS SERVICE

5.6 ClearStarTM Advantage Service (Cont'd)

5.6.2 ISDN-Based Serving Arrangements

ClearStar Advantage service can be provided to customers over a Basic Rate ISDN (Integrated Services Digital Network) interface. Network features provided with this serving arrangement include:

Abbreviated Dialing
Automatic Callback Calling
Call Forwarding
Call Hold
Call Pickup
Call Transfer/Conference
Call Waiting
Dial 9 Access
Hunting

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D

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Speed Calling
Touchtone

* Some features may not be available in all locations.

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EXCHANGE ACCESS SERVICE

5.6 ClearStar™ Advantage Service (Cont'd)

5.6..5 Rate Elements

The following Rate Elements are in addition to the standard features located in Section 5.6.1 and 5.6.2. These rates are applied on a non-recurring and monthly recurring basis.

	<u>Rate</u>
Number Retention	
-Per Number	
Recurring	\$X.XX
Non-Recurring	\$X.XX
Order Processing Charge	
-Per Order	
Non-Recurring	\$X.XX
Additional Directory Listing	
-Per Listing	
Recurring	\$X.XX
Remote Call Forwarding	
-Per Path	
Recurring	\$X.XX
Account Codes	
-Per Line	
Recurring	\$X.XX

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EXCHANGE ACCESS SERVICE5.6 ClearStar™ Advantage Service (Cont'd)5.6.5 Rate Elements (Cont'd)

	<u>Rate</u>
Service Establishment Charge	
-Per Order	
Non-Recurring	\$X.XX
Vanity Number	
-Per Number	
Recurring	\$X.XX
Vanity Number Retention	
-Per Number	
Recurring	\$X.XX
Non-Recurring	\$X.XX

	<u>Non-Recurring (per system)</u>	<u>Mo. Recurring (per flat rate line)</u>	<u>Mo. Recurring (Measured rate line)</u>	
Analog Arrangement ClearStar Advantage				T
		1-4 Lines	5+ Lines/ OnNet	T
1000	\$500.00	\$47.90 (I)	\$38.00	
			1-4 Lines	
Analog Arrangement ClearStar Advantage				
2000	\$1,000.00	\$47.90 (R)	\$38.00 (R)	
			1-4 Lines	
ISDN Arrangement ClearStar Advantage				
Plus				D

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EXCHANGE ACCESS SERVICE

5.6 ClearStar™ Advantage Service (Cont'd)

5.6.6 Contract Termination Charges

When a customer terminates a contract for ClearStar Advantage Services prior to the end of the contract term, a contract termination charge will be computed as follows:

The following factors will be used to compute an "Estimated Month-To-Month Rate" for ClearStar Advantage Service.

<u>Length of Contract</u>	<u>Factor</u>	
One Year	1.05	
Two years	1.08	N
Three Years	1.11	
Four Years	1.15	N
Five Years	1.18	

The Estimated Month-To-Month Rate will be calculated as follows:

Estimated Month-To-Month Rate = Customer's Contract Rate X Factor

The termination charge will then be calculated in the same manner as all other services with term rates, as explained in the General section of this tariff. The Estimated Month-To-Month Rate for ClearStar service will be substituted for the Month-To-Month rate in the termination charge equation:

Termination Charge = Estimated Month To Month Rate - Contract Rate X Number of Months Customer Had Service X Number of Lines

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EXCHANGE ACCESS SERVICE

5.7 Primary Rate Interface (PRI)

Primary Rate Interface Service (PRI) provides an ISDN based, DS1 access to the telecommunications network and includes the flexibility of integration of multiple voice and/or data transmission channels on the same line. The service will provide connectivity between ISDN compatible CPE and a serving central office. The basic channel structure for PRI Service is twenty-three 64 Kbps B-Channels and one 64 Kbps D-Channel. The customer has the option to activate up to 23 B-Channels on the first PRI Service arrangement and up to 24 channels on additional PRI Service arrangements. A Digital Data Only option and an Inward Data Option are also available. The 23 B-Channels can be used to connect the customer's CPE to the Public Circuit Switched Network, e.g., outward, inward and 2-way network access. Calling Number Delivery, Called Number Delivery, and Hunting functionality are inherent to this service. Telephone numbers for use on PRI Service are available. One Primary Directory Listing will be furnished at no charge for each PRI service B-Channel. Additional listings can be obtained. PRI Service provides capability for the transmission of digital signals only. Clear Channel Capability and Extended Superframe Format are inherent to the service.

Non-recurring and monthly rates per PRI Service apply as follows:

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
<u>Month to Month</u>	\$1,000.00	\$850.00
Voice/Data		
Digital Data		
Inward Data		
 <u>12 Months</u>	 \$750.00	 \$750.00
Voice/Data		
Digital Data		
Inward Data		
 <u>24 Months</u>	 \$750.00	 \$675.00
Voice/Data		
Digital Data		
Inward Data		
 <u>36 Months</u>	 \$750.00	 \$600.00
Voice/Data		
Digital Data		
Inward Data		

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EXCHANGE ACCESS SERVICE

5.8 Basic Rate ISDN Service (BRI)

Basic Rate ISDN provides Basic Rate access to the telecommunications network. The service supports simultaneous transmission of voice and data on the same exchange access line. BRI consists of one or two 64Kbps B channels and one 16Kbps D channel (for signaling purposes only) at the service delivery point. Each access to a B channel or Circuit Switched Voice/Circuit Switched Data includes one Directory Number.

Optional custom calling features are available to increase the capability of the B channels may be subscribed to on an as needed basis. See ClearTouch for rates as specified in Section 10.9.1.

The service can be subscribed to under a Flat Rated basis (with no charges for usage), or under a Measured Threshold basis (which includes the initial 320 hours per BRI at no additional monthly cost).

Flat Rated ISDN BRI

	Discount	Non-Recurring	Monthly Recurring		T
			1-4 Lines	5+ Lines/OnNet	
Month to Month	0%	\$182.00	\$98.98 (R)	\$125.00	
One Year	7%	\$160.00	N/A (T)	\$116.25	
Two Year	12%	\$160.00	N/A (T)	\$110.00	
Three Year	15%	\$160.00	N/A (T)	\$106.25	

Measured Threshold Rated ISDN BRI (includes 320 hours per BRI per month)

	Discount	Non-Recurring	Monthly Recurring
Month to Month	0%	\$182.50	\$78.75
One Year	7%	\$160.00	\$73.24
Two Year	12%	\$160.00	\$69.30
Three Year	15%	\$160.00	\$66.94

Measured Unit Usage \$0.01 per minute

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EXCHANGE ACCESS SERVICE5.9 Clear-T Service

Clear-T is a bundled product that offers Local, Long Distance and Toll Free Services with optional custom calling features. This product is available only to local end users customers originating on KMC Telecom facilities off its Charleston, Columbia and Spartanburg South Carolina switches. Clear-T is available for one, two, and three year term agreements. Each commitment level is available at the monthly recurring and non-recurring rates as specified below.

5.9.1 Clear-T Rates:

	<u>Length of Contract</u>	
	<u>Monthly</u>	<u>Non-recurring</u>
<u>Columbia and Spartanburg</u>		
One Year	\$749.00	\$1,000.00
Two Year	\$699.00	\$750.00
Three Year	\$649.00	\$500.00
<u>Charleston</u>	<u>Monthly</u>	<u>Non-recurring</u>
One Year	\$875.00	\$1,000.00
Two Year	\$825.00	\$750.00
Three Year	\$775.00	\$500.00

D

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5.9.2 Line Components:

Clear-T service monthly fee includes basic business lines, analog and digital PBX trunks. Customers may select a combination of lines/trunks up to 24 lines per Clear-T T-1. Also the following standard custom calling features are included in the monthly fee:

	<u>Rate</u>
Hunting	N/C
Call Forwarding (Busy Line, Don't Answer, Variable)	N/C
Call Waiting	N/C
Three Way Calling	N/C
Speed Dialing (8 or 30 code)	N/C

Additional Charges will apply for the following components:

	<u>Monthly</u>
DID Trunk Termination (per DID trunk)	\$10.00
1 st block of 20 DID numbers	\$5.00
DID each additional block of 20 up to 500 numbers	\$3.00
DID 500+ each additional block of 100 numbers	\$50.00

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EXCHANGE ACCESS SERVICE5.9 Clear-T Service (Cont'd)

5.9.3 <u>Optional Custom Calling Features:</u>	<u>Monthly</u>	<u>Non-recurring</u>
Anonymous Call Rejection	\$2.50	\$10.00
Call Block	\$2.50	\$10.00
Call Return	\$2.50	\$10.00
Call Selector	\$2.50	\$10.00
Call Tracing	\$2.50	\$10.00
Caller ID Basic	\$5.00	\$10.00
Caller ID Deluxe	\$6.00	\$10.00
Caller ID Enhanced	\$7.00	\$10.00
Preferred Call Forwarding	\$2.50	\$10.00
Remote Access Call Forwarding Variable	\$2.50	\$10.00
Repeat Dialing	\$2.50	\$10.00
Call Transfer	\$2.50	\$10.00

N

5.9.4 <u>Mailbox Options:</u>	<u>Monthly</u>	<u>Non-recurring</u>
Standard Message Center Mailbox	\$7.95	\$12.00
Enhanced Message Center Mailbox	\$11.95	\$12.00
Power Message Center Mailbox	\$16.95	\$12.00
Fax-Overflow Mailbox	\$10.95	\$17.00

5.9.5 Long Distance Service & Toll Free Service

Clear-T customers will receive the ClearSaver rates for IntraLata, Intrastate, and Interstate as listed in KMC Telecom South Carolina Long Distance Tariff No. 3, section 4.1., 4.2. and FCC No. 1 Tariff.

<u>Long Distance Service</u>	<u>Rates</u>
Per Minute for Dedicated Service:	\$0.1250
Per Minute for Presubscribed Service:	\$0.1700
<u>800 Dedicated Service</u>	
Per Minute	\$0.1350
Monthly Recurring	\$40.00
Non-Recurring	\$50.00

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EXCHANGE ACCESS SERVICE5.9 Clear-T Service (Cont'd)5.9.6 Ancillary Services

Clear-T customers will receive the same rates as listed in sections 6.1, 10.1.3 and 10.2.3 of KMC Telecom South Carolina Local Exchange Tariff No. 1. Ancillary Services include:

	<u>Rates</u>
Directory Listings	N/A
Person to Person	\$2.04
Station to Station	\$0.84
Directory Assistance	\$0.40
Busy Line Verification	\$0.42
Emergency Interrupt Service	\$0.48

5.9.7 Move/Adds/Changes (MAC's) One Time Non-recurring

Add additional Lines or Trunks, per order	\$50.00
Add DID Trunk Termination, per order	\$50.00
Change CSR (record purpose), per order	\$20.00
Add additional custom calling features, per order	\$10.00
Reconfiguration Charge, without customer premise visit, per order	\$50.00
Reconfiguration Charge, with customer premise visit, per order	\$250.00
Move Service Address, per order	N/C

5.9.8 Expiration of Term Agreement

Consistent with the customer's agreement, the customer must notify KMC Telecom, in writing, at least 30 days prior to the expiration of services to express their desired services beyond the selected term agreement date. In lieu of written notification, the services will renew at the existing term agreement level. (i.e. a one year term agreement will renew to an additional one year agreement.)

5.9.9 Termination Liability

See section 11.1.2

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EXCHANGE ACCESS SERVICE

5.10 ClearXpress Business Bundle (CBB)

The CBB is a bundled offering which includes hunting, caller ID deluxe, call transfer and call forwarding variable. CBB is designed for customers with their own telephone equipment. CBB is delivered to the customer's demarcation point and is offered with a 36 month term.

	<u>Flat Rate Service</u>	<u>Measured Rate Service</u>
Charleston/Columbia/	\$56.50	\$47.40
Spartanburg/	\$55.10	\$47.40

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EXCHANGE ACCESS OPTIONAL FEATURES

6.1 Directory Listings

For each Customer of Company-provided Exchange Access Service(s), the Company shall arrange for the listing of the Customer's main billing telephone number¹ in the directory(ies) published by the dominant Local Exchange Carrier in the area at no additional charge. At a Customer's option, the Company will arrange for additional listings at the following rates:

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>	
Each Additional Listing:	N/A	\$1.20	
Non-Published Private Listing	N/A	\$1.75	N
Cross Reference Listing	N/A	\$1.20	N
Non-Listed Semi Private Listing	N/A	\$0.80	N

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¹ For Customers with multiple premises served by the Company, the Company will arrange for a listing of the main billing telephone number at each premise.

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EXCHANGE ACCESS OPTIONAL FEATURES

6.2 Direct Inward Dial (DID) Service

DID service is an optional feature which can be purchased in conjunction with Company-provided Basic Trunks or Digital Trunks. DID service transmits the dialed digits for all incoming calls allowing the Customer's PBX to route incoming calls directly to individual stations corresponding to each individual DID number. Charges for DID capability and DID number blocks apply in addition to charges specified for Basic Trunks or Digital Trunks in Sections 5.2, 5.4 and 5.6, respectively.

One DID Additive charge applies for each DID-equipped Basic Trunk or DID-equipped channel on a Digital Trunk. The Customer is required to purchase at least one DID number block for each DID-equipped trunk or trunk group, or DID-equipped channel or channel group.¹ The assignment of telephone numbers and the sequence of the numbers assigned to a DID service is made at the discretion of the Company.

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
DID Trunk Termination	\$81.00	\$27.00
DID Numbers 1 st Block of 20	\$45.00	\$3.60
DID Each Addtl Block of 20	\$13.50	\$3.60

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¹ A "group" is a set of Basic Trunks or Digital Trunk channels which have been configured into a hunt group.

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EXCHANGE ACCESS OPTIONAL FEATURES

6.3 Main Number Retention

6.3.1 Description

Main Number Retention is an optional feature by which a new Customer, who was formally a customer of another certificated local exchange carrier at the same premises location, may retain its main telephone numbers and main fax numbers for use with the Company-provided Exchange Access Services. Main Number Retention service is only available in areas where the Company maintains some form of number retention arrangement with the Customer's former local exchange carrier.

Monthly recurring and non-recurring charges apply per retained number. Rates for retained numbers may vary from area to area.

6.3.2 Rates

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
per retained number	\$X.XX	\$X.XX
per retained vanity number	\$X.XX	\$X.XX

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EXCHANGE ACCESS OPTIONAL FEATURES

6.4 Accounting Codes

Accounting Codes provide customers with a means of restricting calls or itemizing calls, according to specific digits that must be dialed at the end of a long distance telephone number. The length of Accounting Codes may vary from 2 to 6 digits, however, the length must be consistent for each customer location.

Offered are packages of codes that are verified against a specific list of valid numbers, for call restriction, or unverified packages of 2-6 digits in length for cataloging by code the calls made.

<u>Charge Per Customer Location</u>	<u>Monthly Recurring</u>	<u>Non- Recurring</u>
Verified Packages	\$XX.XX	\$XX.XX
Unverified Packages	\$XX.XX	\$XX.XX

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EXCHANGE ACCESS OPTIONAL FEATURES

6.5 Authorization Codes

This option restricts calls from being made unless the correct accounting code is entered. Only customer specified codes will be accepted. The customer then may use these codes to track calling for cost analysis and bill-back purposes.

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Per Authorization Code	\$X.XX	\$X.XX

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EXCHANGE ACCESS OPTIONAL FEATURES

6.6 Vanity Number Service

6.6.1 Description

Vanity Number Service is an optional feature by which a new Customer may request a specific or unique telephone number and fax number for use with the Company provided Exchange Access Services. This service provides for the assignment of a customer requested telephone number other than the next available number from the assignment control list.

Vanity Number Service is furnished subject to the availability of facilities and the requirements of Exchange Access Service as defined by the Company. The Company reserves all rights to the Vanity Numbers assigned to customers and may, therefore, change them if required.

Monthly recurring charges apply per Vanity Number.

6.6.2 Rates

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Per Vanity Number	\$X.XX	\$X.XX

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EXCHANGE ACCESS OPTIONAL FEATURES

6.7 Voice Messaging

N

<u>Mailbox Type</u>	<u>Monthly</u>	<u>*Install</u>
Standard	\$8.95	\$12.00
Enhanced	\$11.95	\$12.00
Power	\$16.95	\$12.00
Extension	\$12.95	\$14.00
Extension Plus	\$19.95	\$14.00
FaxOverflow 100	\$10.95	\$17.00
FaxOverflow 200	\$12.95	\$17.00
FaxOverflow unlimited	\$14.95	\$17.00
Application Mailbox	(each mailbox is priced as a standard mailbox plus installation)	

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EXCHANGE ACCESS OPTIONAL FEATURES6.8 ClearValue Bundled Service

The KMC Telecom Service Offering is a bundled service that includes KMC local exchange, inbound and outbound domestic long distance with voicemail provided at the same customer location. This service is available to Business customers and is subject to the availability of facilities and only offered where technically feasible.

KMC Option #1

ClearValue

	<u>1-4 Lines</u>	<u>5+Lines</u>
		<u>/OnNet</u>
1 Year=	\$46.90 (I)	\$40.20
2 Year=	N/A T	\$38.20
3 Year=	N/A	\$37.40
4 Year=	N/A	\$36.20
5 Year=	N/A T	\$35.00

KMC Option #2

ClearValue with Voicemail

	<u>1-4 Lines</u>	<u>5+ Lines</u>
		<u>/OnNet</u>
1 Year=	\$54.90 (I)	\$47.20
2 Year=	N/A T	\$44.80
3 Year=	N/A	\$43.90
4 Year=	N/A	\$42.50
5 Year=	N/A T	\$41.10

ClearValue Basic Business Line

ClearValue Call Forward Busy Line

ClearValue Call Forward No Answer

ClearValue Call Forward Variable

ClearValue 3-Way Calling

ClearValue Speed Call 8

ClearValue Caller ID

ClearValue Long Distance Calling Card

ClearValue Basic Business Line

ClearValue Call Forward Busy Line

ClearValue Call Forward No Answer

ClearValue Call Forward Variable

ClearValue 3-Way Calling

ClearValue Speed Call 8

ClearValue Caller ID

ClearValue Voicemail

ClearValue Long Distance Calling Card

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EXCHANGE ACCESS OPTIONAL FEATURES

6.8 ClearValue Bundled Service(Cont'd)

KMC Option #3
ClearValue Plus 100

KMC Option #4
ClearValue Plus 100 with Voicemail

1 Year=\$46.10 R
2 Year=\$43.80 R
3 Year=\$42.90 R
4 Year=\$41.50 N
5 Year=\$40.10 N

1 Year= \$63.85 R
2 Year= \$60.28 R
3 Year= \$59.26 R
4 Year=\$47.80 N
5 Year=\$46.20 N

ClearValue Basic Business Line
ClearValue Call Forward Busy Line
ClearValue Call Forward No Answer
ClearValue Call Forward Variable
ClearValue 3-Way Calling
ClearValue Speed Call 8
ClearValue Caller ID
ClearValue Plus 100*
ClearValue Long Distance Calling Card

ClearValue Basic Business Line
ClearValue Call Forward Busy Line
ClearValue Call Forward No Answer
ClearValue Call Forward Variable
ClearValue 3-Way Calling
ClearValue Speed Call 8
ClearValue Caller ID
ClearValue Voicemail
ClearValue Plus 100*
ClearValue Long Distance Calling Card

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EXCHANGE ACCESS OPTIONAL FEATURES

6.8 ClearValue Bundled Service(Cont'd)

KMC Option #5
ClearValue Plus 250

1 Year=\$49.00 R
2 Year=\$46.60 R
3 Year=\$45.60 R
4 Year=\$44.10 N
5 Year=\$42.60 N

KMC Option #6
ClearValue Plus 250 with Voicemail

1 Year= \$56.00 R
2 Year= \$53.20 R
3 Year= \$52.10 R
4 Year= \$50.40 N
5 Year= \$48.70 N

ClearValue Basic Business Line
ClearValue Call Forward Busy Line
ClearValue Call Forward No Answer
ClearValue Call Forward Variable
ClearValue 3-Way Calling
ClearValue Speed Call 8
ClearValue Caller ID
ClearValue Plus 250*
ClearValue Long Distance Calling Card

ClearValue Basic Business Line
ClearValue Call Forward Busy Line
ClearValue Call Forward No Answer
ClearValue Call Forward Variable
ClearValue 3-Way Calling
ClearValue Speed Call 8
ClearValue Caller ID
ClearValue Voicemail
ClearValue Plus 250*
ClearValue Long Distance Calling Card

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EXCHANGE ACCESS OPTIONAL FEATURES6.8 ClearValue Bundled Service(Cont'd)KMC Option # 7
ClearValue Plus 500

1 Year=\$57.70 R
2 Year=\$54.80 R
3 Year=\$53.70 R
4 Year=\$51.90 N
5 Year=\$50.20 N

KMC Option # 8
ClearValue Plus 500 with Voicemail

1 Year= \$64.70 R
2 Year= \$61.50 R
3 Year= \$60.20 R
4 Year=\$58.20 N
5 Year=\$56.30 N

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ClearValue Basic Business Line
ClearValue Call Forward Busy Line
ClearValue Call Forward No Answer
ClearValue Call Forward Variable
ClearValue 3-Way Calling
ClearValue Speed Call 8
ClearValue Caller ID
ClearValue Plus 500*
ClearValue Long Distance Calling Card

ClearValue Basic Business Line
ClearValue Call Forward Busy Line
ClearValue Call Forward No Answer
ClearValue Call Forward Variable
ClearValue 3-Way Calling
ClearValue Speed Call 8
ClearValue Caller ID
ClearValue Voicemail
ClearValue Plus 500*
ClearValue Long Distance Calling Card

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EXCHANGE ACCESS OPTIONAL FEATURES

6.8 ClearValue Bundled Service (Cont'd)

KMC Option #9
ClearValue with Discounted LD Rate

KMC Option #10
ClearValue with Voicemail & Discounted LD Rate

1 Year= \$40.20 + \$0.085 R
2 Year= \$38.20 + \$0.079 R
3 Year= \$37.40 + \$0.069 R
4 Year= \$36.20 + \$0.059 N
5 Year= \$35.00 + \$0.049 N

1 Year= \$47.20 + \$0.085 R
2 Year= \$44.80 + \$0.079 R
3 Year= \$43.90 + \$0.069 R
4 Year= \$42.50 + \$0.059 N
5 Year= \$41.10 + \$0.049 N

D

D

D

ClearValue Basic Business Line
ClearValue Call Forward Busy Line
ClearValue Call Forward No Answer
ClearValue Call Forward Variable
ClearValue 3-Way Calling
ClearValue Speed Call 8
ClearValue Caller ID
ClearValue Discounted Long Distance**
ClearValue Long Distance Calling Card

ClearValue Business Line
ClearValue Call Forward Busy Line
ClearValue Call Forward No Answer
ClearValue Call Forward Variable
ClearValue 3-Way Calling
ClearValue Speed Call 8
ClearValue Caller ID
ClearValue Discounted Long Distance**
ClearValue Long Distance Calling Card

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RESOLD LOCAL EXCHANGE SERVICE

7.1 Description

Resold Local Exchange Service is composed of the resale of exchange access lines and local calling provided by other certificated Local Exchange Carriers, in combination with Company-provided usage services, miscellaneous services or interstate/international services.

7.2 Rates

The following maximum rates apply for Resold Local Exchange Services:

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
<u>Resold Basic Lines:</u>		
(1) <u>Flat Rate Service</u>		
1st Line	\$X.XX	\$X.XX
Each Addtl Line	\$X.XX	\$X.XX
(2) <u>Measured Service</u>		
1st Line	\$X.XX	\$X.XX
Each Addtl Line	\$X.XX	\$X.XX
<u>Resold Basic Trunks¹</u>		
(1) <u>Flat Rate Service</u>		
1st Line	\$X.XX	\$X.XX
Each Addtl Trunk	\$X.XX	\$X.XX
(2) <u>Measured Service</u>		
1st Line	\$X.XX	\$X.XX
Each Addtl Trunk	\$X.XX	\$X.XX

¹ Includes Hunting

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RESOLD LOCAL EXCHANGE SERVICE

7.2 Rates (Cont'd)

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
<u>Resold Direct Inward Dial (DID) Service</u>		
<u>DID Trunk Termination:</u>		
DID Trunk Termination, each Inward Only Trunk	\$X.XX	\$X.XX
DID Trunk Termination, each Combination Trunk	\$X.XX	\$X.XX
<u>DID Station Numbers:</u>		
1st Block of 20 DID Station Numbers	\$X.XX	\$X.XX
Add'l Block of 20 DID Station Numbers	\$X.XX	\$X.XX
<u>Optional Features:</u>		
MF Pulsing Option	\$X.XX	\$X.XX
DTMF Pulsing Option	\$X.XX	\$X.XX
Automatic Intercept Service, per number referred	\$X.XX	\$X.XX
<u>Resold Local Usage</u>		
<u>Flat Rate Calling</u>	Unlimited	
<u>Measured Rate Calling</u>	RESERVED FOR FUTURE USE	

The following rates for Local Exchange Resold Services are set forth in Section 8 and Section 10 of the tariff.

Resold features associated with Resold Local Exchange Service will be priced according to the rates established for such features in the underlying carrier's effective intrastate tariffs.

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LOCAL CALLING SERVICE

8.1 Description

Local Calling Service provides a Customer with the ability to originate calls from a Company-provided access line to all other stations on the public switched telephone network¹ bearing the designation of any central office exchanges, areas, and zones included in the Customer's local calling area.

8.1.1 Basic Local Exchange Service - This calling service allows the Customer unlimited access to all other stations on the public switched telephone network within the customer's Basic Local Calling Area.² All calls to destinations outside the Basic Local Calling Area but within the same state and LATA will be charged the IntraLATA rates as specified in Section 9.3 following.

8.1.2 Expanded Local Exchange Service - This calling service allows the Customer limited access to all other stations on the public switched telephone network within the Customer's Basic Local Calling Area. Additional calls to the Basic Local Calling Area will be charged as specified in Section 8.2.1(A) following. All calls to the Expanded Local Calling Area² will be charged a per call setup and per minute access charge as specified in Section 8.2.1(B) following. All calls to destinations outside the Expanded Local Calling Area but within the same state and LATA will be charged the IntraLATA rates as specified in Section 9.3 following.

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¹ Except calls to other telephone companies' caller paid information services (e.g. NPA 900, NXX 976, etc.). Calls to those numbers and other numbers used for caller-paid information services will be blocked by the Company's centralized switching facility.

² As specified in BellSouth's tariff in effect and as amended from time-to-time.

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LOCAL CALLING SERVICE

8.1 Description (Cont'd)

8.1.2 Expanded Local Exchange Service (Cont'd)

(A) Time Periods

Day and Night/Weekend rates apply as follows:

<u>Rates</u>	<u>From</u>	<u>To (but not including)</u>	<u>Days Applicable</u>
Day	9:00 A.M.	9:00 P.M.	Mon. - Fri.
Night/Weekend	All other days, times, and holidays.		

Holidays include New Year's Day (January 1), Independence Day (July 4), Labor Day (the first Monday in September), Thanksgiving Day (the fourth Thursday in November), and Christmas Day (December 25).

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LOCAL CALLING SERVICE

8.2 Rates

The rates set forth in this section apply to all direct dialed local calls. For operator-assisted local calls, the operator charges listed in Section 10.1.3 apply in addition to the charges listed below. T

8.2.1 Usage Charges - Per minute charges apply for each call. Timing is in whole minute increments, with a minimum charge of one minute per call.

(A) Monthly Message Allowance

<u>Type of Service</u>	<u>Basic Calling Area</u>	<u>Extended Calling Area</u>
Basic Local Exchange Service	TBD	TBD ¹
Extended Local Exchange Service	TBD	TBD

*Additional message charge of \$0.02 Peak usage and \$0.01 Off peak usage for each message over monthly allowance.

(B) Extended Calling Area - The following usage charges apply to points in the Customer's Extended Calling Area.

	<u>Initial Minute Charge</u>	<u>Additional Minutes Charge</u>
Per Minute Charge	\$.12	\$.06

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¹ Customers of Basic Local Exchange Service are billed intraLATA rates for calls to destinations within the state and LATA but outside the Basic Local Calling Area.

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INTRALATA CALLING SERVICE

9.1 Description

IntraLATA calling service provides a Customer with the ability to originate calls from a Company-provided access line to all other stations on the public switched telephone network¹ bearing the designation of any central office exchanges, areas, and zones outside of the Customer's Basic Calling Area but within the same state and LATA.

9.2 Time Periods

Day, Evening and Night/Weekend rate periods are shown below. On holidays, Evening rates will apply unless a lower rate will normally apply.

<u>Rates</u>	<u>From</u>	<u>To (but not including)</u>	<u>Days Applicable</u>	<u>Discount Applicable</u>
Day	8:00 A.M.	12:00 P.M.	Mon. - Fri.	0%
	1:00 P.M.	5:00 P.M.	Mon. - Fri.	0%
Evening	5:00 P.M.	11:00 P.M.	Mon. - Fri.	25%
Night/ Weekend	All other times			50%

Holidays include New Year's Day (January 1), Independence Day (July 4), Labor Day (the first Monday in September), Thanksgiving Day (the fourth Thursday in November), and Christmas Day (December 25).

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¹ Except calls to other telephone companies' caller paid information services (e.g. NPA 900, NXX 976, etc.). Calls to those numbers and other numbers used for caller-paid information services will be blocked by the Company's centralized switching facility.

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INTRALATA CALLING SERVICE

9.3 Maximum Rates

<u>MILEAGE</u>	<u>FIRST MINUTE</u>	<u>ADDITIONAL MINUTE</u>
0 - 10	\$X.XX	\$X.XX
11 - 16	\$X.XX	\$X.XX
17 - 22	\$X.XX	\$X.XX
23 - 30	\$X.XX	\$X.XX
31 - 40	\$X.XX	\$X.XX
41 - 55	\$X.XX	\$X.XX
56 - 70	\$X.XX	\$X.XX
71 +	\$X.XX	\$X.XX

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MISCELLANEOUS SERVICES

10.1 Operator Services

10.1.1 Description

Operator Handled Calling Services are provided to Customers and Users of Company-provided Exchange Access Services, and to Customers and Users of exchange access lines.

10.1.2 Definitions

Person--Person: Calls completed with the assistance of a Company operator to a particular person, station, department, or PBX extension specified by the calling party. Charges may be billed to the Customer's commercial credit card and/or LEC calling card, calling station, called station, or a designated third-party station. Calls may be dialed with or without the assistance of a Company operator.

Station-to-Station: Refers to calls other than person-to-person calls billed to either the end user's commercial credit card and/or nonproprietary calling card. Calls may be dialed with or without the assistance of a Company operator. Collect calls to coin telephones and transfers of charges to third telephones which are coin telephones will not be accepted.

Operator Dialed Charge: The end user places the call without dialing the destination number, although the capability to do it himself exists. The end user will dial "0" for local calls and "00" for long distance calls and then request the operator to dial the called station.

Billed to Non-Proprietary Calling Card: Refers to calls that are dialed by the customer in accordance with standard dialing instructions and billed to a non-proprietary calling card issued by another carrier.

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